

AMENDED IN ASSEMBLY JUNE 30, 2014
AMENDED IN ASSEMBLY MAY 19, 2014
AMENDED IN SENATE JANUARY 27, 2014
AMENDED IN SENATE JANUARY 13, 2014
AMENDED IN SENATE MAY 14, 2013
AMENDED IN SENATE APRIL 22, 2013
AMENDED IN SENATE APRIL 10, 2013

SENATE BILL

No. 792

**Introduced by Senator DeSaulnier
(Coauthors: Senators Hancock, Hill, and Leno)**

February 22, 2013

An act to add Sections 66537.1, 66537.2, 66537.3, 66537.4, 66537.6, and 66537.7 to the Government Code, relating to planning.

LEGISLATIVE COUNSEL'S DIGEST

SB 792, as amended, DeSaulnier. Regional entities: San Francisco Bay Area.

Existing law creates the Metropolitan Transportation Commission, the Bay Area Toll Authority, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission, with various powers and duties relative to all or a portion of the 9-county San Francisco Bay Area region with respect to transportation, air quality, and environmental planning, as specified. Another regional entity, the Association of Bay Area Governments, is created under existing law as a joint powers agency comprised of cities and counties with regional planning responsibilities. Existing law

provides for a joint policy committee of certain member agencies in this 9-county area to collaborate on regional coordination. Existing law requires regional transportation planning agencies, as part of the regional transportation plan adopted in urban areas, to develop a sustainable communities strategy, coordinating transportation, land use, and air quality planning, with specified objectives.

This bill would require the member agencies of the joint policy committee to complete an analysis of common functions and identify opportunities to save costs, reduce redundancies, and further the goals of the member agencies. The bill would require the analysis to also include a statement relative to the expected reduction of overhead, operation, and management costs. The bill would also require the joint policy committee to maintain an Internet Web site containing information relevant to the committee's activities and to appoint an advisory committee on economic competitiveness with specified members from the business community and other organizations to adopt goals and policies related to economic development, including social equity issues.

The bill would require the Metropolitan Transportation Commission to convene a public engagement advisory group to provide recommendations in the development of a draft public participation plan with respect to the regional transportation plan update, as specified. ~~The bill would also require the commission to report biennially to the Legislature and the public on the progress in implementing the policies and programs of the sustainable communities strategy prepared as part of the regional transportation plan.~~

By imposing new duties on the Metropolitan Transportation Commission and other regional entities, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66537.1 is added to the Government
2 Code, to read:

3 66537.1. The member agencies of the joint policy committee
4 created pursuant to subdivision (d) of Section 66536 shall complete
5 an analysis of common functions and identify opportunities to save
6 costs, reduce redundancies, and further the goals of the member
7 agencies. The analysis shall also include a statement as to the
8 expected reduction in the cost of overhead and in the cost of
9 operation and management of the member agencies.

10 SEC. 2. Section 66537.2 is added to the Government Code, to
11 read:

12 66537.2. (a) Prior to initiating public outreach and participation
13 efforts for a regional transportation plan update, including the
14 sustainable communities strategy pursuant to subparagraphs (B)
15 and (C) of paragraph (2) of subdivision (b) of Section 65080, the
16 Metropolitan Transportation Commission, in consultation with the
17 Association of Bay Area Governments, the Bay Area Air Quality
18 Management District, and the San Francisco Bay Conservation
19 and Development Commission, shall issue, for public comment,
20 a draft public participation plan to meet the public participation
21 requirements under federal law and Section 65080.

22 (b) (1) At least 30 days before issuing the draft under
23 subdivision (a), the Metropolitan Transportation Commission shall
24 convene a public engagement advisory group to meet as needed
25 before the draft is issued for public comment and until the adoption
26 of the public participation plan. The public engagement advisory
27 group shall include, but shall not be limited to, persons representing
28 local planning agencies, congestion management authorities or
29 other local government agencies, low-income communities,
30 communities of color, seniors, persons with disabilities, business,
31 and environmental organizations. Meetings of the public
32 engagement advisory group shall be subject to the Ralph M. Brown
33 Act (Chapter 9 (commencing with Section 54950) of Part 1 of
34 Division 2 of Title 5 ~~of the Government Code~~).

35 (2) The public engagement advisory group shall be charged
36 with all of the following tasks:

37 (A) Reviewing the public participation process in connection
38 with the development and adoption of the previous regional

1 transportation plan and sustainable communities strategy and
2 assessing both of the following:

3 (i) Strengths and weaknesses.

4 (ii) The degree to which the public participation plans were
5 implemented, and the degree to which specific implementation
6 actions contributed to a robust, inclusive, and transparent process.

7 (B) Identifying key decision points in the process by which the
8 previous regional transportation plan and sustainable communities
9 strategy were developed and adopted.

10 (C) Providing recommendations to the Metropolitan
11 Transportation Commission and the Association of Bay Area
12 Governments in developing a draft public participation plan that
13 seeks to do all of the following:

14 (i) Provide a clear process map, timeline, and description of all
15 key decision points.

16 (ii) Set forth outreach activities designed to meaningfully inform
17 and engage San Francisco Bay area residents, including activities
18 targeting populations traditionally underrepresented in regional
19 planning, such as minority and low-income populations.

20 (iii) Set forth the role of advisory committees in the development
21 and approval of the regional transportation plan update and
22 sustainable communities strategy.

23 (iv) Set forth the role of other agencies and local jurisdictions
24 in the planning process, and prescribe requirements for inclusive
25 public engagement and transparency.

26 (v) Address any other priority concerns raised by the public
27 engagement advisory group.

28 SEC. 3. Section 66537.3 is added to the Government Code, to
29 read:

30 66537.3. The joint policy committee shall maintain an Internet
31 Web site containing relevant information pertaining to the joint
32 policy committee's activities.

33 SEC. 4. Section 66537.4 is added to the Government Code, to
34 read:

35 66537.4. The joint policy committee shall be subject to the
36 Ralph M. Brown Act (Chapter 9 (commencing with Section 54950)
37 of Part 1 of Division 2 of Title 5).

38 SEC. 5. Section 66537.6 is added to the Government Code, to
39 read:

1 66537.6. (a) The joint policy committee shall appoint an
2 advisory committee on economic competitiveness with members
3 from the business community, including representatives of small
4 businesses and the technology and manufacturing sectors,
5 community colleges, public and private universities, labor, local
6 governments, community organizations with an interest in
7 expanding economic opportunity for low-income populations and
8 communities, and other organizations involved with the private
9 economy.

10 (b) The joint policy committee, in consultation with the advisory
11 committee, shall adopt goals and policies related to economic
12 development. The goals and policies shall also promote amenities
13 that are special to the region and contribute to the region's quality
14 of life. Social equity goals and considerations shall be integrated
15 throughout to ensure that low-income populations and populations
16 of color share fairly in the benefits and burdens of the economic
17 development goals and policies and their implementation and
18 include strategies to improve the economic conditions and
19 opportunities for all residents with special attention given to
20 opportunities available for low-income residents and populations
21 of color.

22 (c) *Meetings of the advisory committee on economic*
23 *competitiveness shall be subject to the Ralph M. Brown Act*
24 *(Chapter 9 (commencing with Section 54950) of Part 1 of Division*
25 *2 of Title 5).*

26 ~~SEC. 6. Section 66537.7 is added to the Government Code, to~~
27 ~~read:~~

28 ~~66537.7. The Metropolitan Transportation Commission shall~~
29 ~~report biennially to the Legislature and the public at large on~~
30 ~~progress in implementing the policies and programs of the~~
31 ~~sustainable communities strategy required pursuant to subparagraph~~
32 ~~(B) of paragraph (2) of subdivision (b) of Section 65080 and in~~
33 ~~preparing the subsequent sustainable communities strategy.~~

34 ~~SEC. 7.~~

35 SEC. 6. If the Commission on State Mandates determines
36 that this act contains costs mandated by the state, reimbursement
37 to local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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